

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TIMOTHY KOENCK,

Defendant.

) No. CR 13-3016
)

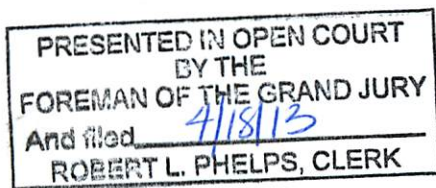
) **Count 1:** 18 U.S.C. §§ 2422(b) and
) 2426: Enticement of a Minor
)

) **Counts 2 and 4:** 18 U.S.C. § 2260A:
) Commission of a Felony Offense While
) Required to Register as a Sex Offender
)

) **Count 3:** 18 U.S.C. §§ 2423(b) and
) 2426: Travel for the Purpose of
) Engaging in Illicit Sexual Conduct
)

) **Count 5:** 18 U.S.C. §§ 2252(a)(2) and
) 2252(b)(1): Receipt of Child
) Pornography
)

) **Counts 6 and 7:** 18 U.S.C.
) §§ 2252A(a)(5)(B) and 2252A(b)(2):
) Possession of Child Pornography
)



INDICTMENT

The Grand Jury charges:

COUNT 1

Between on or about February 2012 and March 9, 2012, in the Northern District of Iowa and elsewhere, the defendant, TIMOTHY KOENCK, using a facility and means of interstate and foreign commerce, namely, a cell phone, cell phone messaging services, a computer, and the Internet, knowingly persuaded, induced, and enticed, and attempted to persuade, induce, and entice, a person under the age of sixteen to engage in sexual activity for which a person could be charged with a criminal offense under the laws of the State of Minnesota, that is, Criminal Sexual Conduct under Minnesota Criminal Code Sections 609.342, 609.343, 609.344, and/or 609.345. The defendant had one or more prior sex offense convictions, to wit:

The defendant was convicted of one count of Attempted Sexual Coercion and Enticement of a Minor, in violation of 18 U.S.C. § 2422(b); one count of Sexual Coercion and Enticement of a Minor, in violation of 18 U.S.C. § 2422(b); and one count of Possession of Child Pornography, in violation of 18 U.S.C. § 2252A(a)(5)(B), in the United States District Court for the Northern District of Iowa, in Case Number CR 00-3042-MWB, with judgment entered on June 7, 2001.

The defendant was convicted of Child Enticement for Sexual Contact or Intercourse, in violation of Wisconsin Statutes Section 948.07(1), in the Circuit Court for the County of Waukesha, in Case Number 00CF608, with judgment entered on May 31, 2002.

This was in violation of Title 18, United States Code, Sections 2422(b) and 2426.

COUNT 2

Between on or about February 2012 and March 9, 2012, in the Northern District of Iowa and elsewhere, the defendant, TIMOTHY KOENCK, a person required by federal and Iowa law to register as a sex offender, committed a felony offense involving a minor under Title 18, United States Code, Section 2422(b), that is, the offense charged in Count 1 of this Indictment.

This was in violation of Title 18, United States Code, Section 2260A.

COUNT 3

On or about March 9, 2012, in the Northern District of Iowa and elsewhere, the defendant, TIMOTHY KOENCK, knowingly traveled across a state line for the purpose of engaging in illicit sexual conduct, as defined in Title 18, United States Code, Section 2423(f)(1), with another person. The defendant had one or more prior sex offense convictions, to wit:

The defendant was convicted of one count of Attempted Sexual Coercion and Enticement of a Minor, in violation of 18 U.S.C. § 2422(b); one count of Sexual Coercion and Enticement of a Minor, in violation of 18 U.S.C. § 2422(b); and one count of Possession of Child Pornography, in violation of 18 U.S.C. § 2252A(a)(5)(B), in the United States District Court for the Northern District of Iowa, in Case Number CR 00-3042-MWB, with judgment entered on June 7, 2001.

The defendant was convicted of Child Enticement for Sexual Contact or Intercourse, in violation of Wisconsin Statutes Section 948.07(1), in the Circuit Court for the County of Waukesha, in Case Number 00CF608, with judgment entered on May 31, 2002.

This was in violation of Title 18, United States Code, Sections 2423(b) and 2426.

COUNT 4

On or about March 9, 2012, in the Northern District of Iowa and elsewhere, the defendant, TIMOTHY KOENCK, a person required by federal and Iowa law to register as a sex offender, committed a felony offense involving a minor under Title 18, United States Code, Section 2423(b), that is, the offense charged in Count 3 of this Indictment.

This was in violation of Title 18, United States Code, Section 2260A.

COUNT 5

Between on or about May 2010 and March 2011, in the Northern District of Iowa and elsewhere, the defendant, TIMOTHY KOENCK, knowingly received and attempted to receive visual depictions of minors engaged in sexually explicit conduct, using a means and facility of interstate and foreign commerce, and said visual depictions having been transported in and affecting interstate and foreign commerce. The defendant previously had been convicted of one or more offenses relating to sexual abuse or abusive sexual conduct involving a minor, to wit:

The defendant was convicted of one count of Attempted Sexual Coercion and Enticement of a Minor, in violation of 18 U.S.C. § 2422(b); one count of Sexual Coercion and Enticement of a Minor, in violation of 18 U.S.C. § 2422(b); and one count of Possession of Child Pornography, in violation of 18 U.S.C. § 2252A(a)(5)(B), in the United States District Court for the Northern District of Iowa, in Case Number CR 00-3042-MWB, with judgment entered on June 7, 2001.

The defendant was convicted of Child Enticement for Sexual Contact or Intercourse, in violation of Wisconsin Statutes Section 948.07(1), in the Circuit Court for the County of Waukesha, in Case Number 00CF608, with judgment entered on May 31, 2002.

This was in violation of Title 18, United States Code, Sections 2252(a)(2) and 2252(b)(1).

COUNT 6

Between on or about May 2010 and March 2011, in the Northern District of Iowa, the defendant, TIMOTHY KOENCK, knowingly possessed and attempted to possess visual depictions of minors engaged in sexually explicit conduct, said visual depictions having been produced using materials that had been shipped and transported in and affecting interstate and foreign commerce, namely, a Fujitsu hard drive (from a Dell computer) that had been manufactured outside the state of Iowa, and said visual depictions having been transported in and affecting interstate and foreign commerce and using a means and facility of interstate and foreign commerce. The defendant previously had been convicted of one or more offenses relating to sexual abuse or abusive sexual conduct involving a minor, to wit:

The defendant was convicted of one count of Attempted Sexual Coercion and Enticement of a Minor, in violation of 18 U.S.C. § 2422(b); one count of Sexual Coercion and Enticement of a Minor, in violation of 18 U.S.C. § 2422(b); and one count of Possession of Child Pornography, in violation of 18 U.S.C. § 2252A(a)(5)(B), in the United States District Court for the Northern District of Iowa, in Case Number CR 00-3042-MWB, with judgment entered on June 7, 2001.

The defendant was convicted of Child Enticement for Sexual Contact or Intercourse, in violation of Wisconsin Statutes Section 948.07(1), in the Circuit Court for the County of Waukesha, in Case Number 00CF608, with judgment entered on May 31, 2002.

This was in violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and 2252A(b)(2).

COUNT 7

Between on or about August 2010 and March 13, 2012, in the Northern District of Iowa, the defendant, TIMOTHY KOENCK, knowingly possessed and attempted to

possess visual depictions of minors engaged in sexually explicit conduct, said visual depictions having been produced using materials that had been shipped and transported in and affecting interstate and foreign commerce, namely, a Duracell USB flash drive that had been manufactured outside the state of Iowa, and said visual depictions having been transported in and affecting interstate and foreign commerce and using a means and facility of interstate and foreign commerce. The defendant previously had been convicted of one or more offenses relating to sexual abuse or abusive sexual conduct involving a minor, to wit:

The defendant was convicted of one count of Attempted Sexual Coercion and Enticement of a Minor, in violation of 18 U.S.C. § 2422(b); one count of Sexual Coercion and Enticement of a Minor, in violation of 18 U.S.C. § 2422(b); and one count of Possession of Child Pornography, in violation of 18 U.S.C. § 2252A(a)(5)(B), in the United States District Court for the Northern District of Iowa, in Case Number CR 00-3042-MWB, with judgment entered on June 7, 2001.

The defendant was convicted of Child Enticement for Sexual Contact or Intercourse, in violation of Wisconsin Statutes Section 948.07(1), in the Circuit Court for the County of Waukesha, in Case Number 00CF608, with judgment entered on May 31, 2002.

This was in violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and 2252A(b)(2).

A TRUE BILL,

s/

Foreperson

Dated: April 17, 2013

SEAN R. BERRY
United States Attorney

By:



MARK TREMMEL
Assistant United States Attorney